

**FILED**

**AUG 12 2003**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON

U.S. COURT OF APPEALS

PONDEROSA DAIRY,

Plaintiff - Appellant,

v.

ANN M. VENEMAN, Secretary, Department  
of Food & Agriculture, State of California,

Defendant,

and

A. J. YATES, Deputy Secretary of  
Agriculture, Department of Food &  
Agriculture, State of California, et al.,

Defendants - Appellees.

No. 99-16981

D.C. No.  
CV-97-01185-GEB(JFM)  
Eastern District of California,  
Sacramento

ORDER

HILLSIDE DAIRY, INC., et al.,

Plaintiffs - Appellants,

v.

ANN M. VENEMAN, Secretary of the  
California Department of Food &  
Agriculture,

No. 99-16982

D.C. No.  
CV-97-01179-GEB(JFM)  
Eastern District of California,  
Sacramento

Defendant,

and

A. J. YATES, as Undersecretary of the  
California Department of Food &  
Agriculture, et al.,

Defendants - Appellees.

Before: SNEED and SILVERMAN, Circuit Judges and SEDWICK, District  
Judge<sup>1</sup>

This court's decision has been reversed by the United States Supreme Court and remanded for further proceedings. Our decision had affirmed the district court, so we now remand these cases to the United States District Court for the Eastern District of California for further proceedings consistent with the decision by the United States Supreme Court.

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<sup>1</sup>The Honorable John W. Sedwick, United States District Judge for the District of Alaska, sitting by designation.